

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

UNITED STATES OF AMERICA, : CRIMINAL NO.:

Plaintiff, : RDB-09-0271

vs. :

LEA SHAWNAY BELL, : Baltimore, Maryland

Defendant. : July 28th, 2009

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The above-entitled case came on for re-arraignment
before the Honorable Richard D. Bennett, United States
District Judge.

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A P P E A R A N C E S

For the Government:

Solette A. Magnelli, AUSA

For the Defendant:

Jeffrey Earl Risberg, AFD

Also Present: ICE Special Agent Ed Kelly
Lisa Spinnicchio, Probation

Christine T. Asif, RPR, CRR

Official Court Reporter

P R O C E E D I N G S

MS. MAGNELLI: Your Honor, if I may call the case?

THE COURT: Yes, Ms. Magnelli, if you'll call the case, please.

MS. MAGNELLI: Your Honor, this is the United States versus Lea Bell, criminal number RDB-09-0271. Solette Magnelli for the Government. Seated with me at counsel table is ICE Special Agent Ed Kelly. Your Honor, we are here this morning for a re-arraignment.

THE COURT: Yes, Ms. Magnelli, nice to see you. And good morning Agent Kelly, how are you? Nice to see you. And on behalf of the defendant?

MR. RISBERG: Good morning, Judge Bennett. Jeff Risberg on behalf of Lea Bell who is in the courtroom to my right.

THE COURT: Yes, Mr. Risberg, nice to see you back in court. Nice to see you and good morning, Ms. Bell. We are ready to proceed by way of a guilty plea in this case. The defendant proffered a plea of guilty to conspiracy to commit sex trafficking of a minor as charged in Count 1, and then three counts of sex trafficking of a minor. Essentially the proffer is that the defendant is going to plead guilty to all four counts of the indictment; is that correct, Ms. Magnelli?

MS. MAGNELLI: Yes, Your Honor.

1 THE COURT: Is that correct, Mr. Risberg?

2 MR. RISBERG: It is.

3 THE COURT: All right. And I understand this plea
4 is being proffered pursuant to Rule 11(c)(1)(C) of the
5 Federal Rules of Criminal Procedure, pursuant to which
6 counsel have agreed that a sentence of 120 months or ten
7 years is an appropriate sentence in this case; is that
8 correct, Ms. Magnelli?

9 MS. MAGNELLI: Yes, Your Honor.

10 THE COURT: Correct, Mr. Risberg.

11 MR. RISBERG: It is.

12 THE COURT: All right. We'll be going through
13 this process here, Ms. Bell. And let me explain to you that
14 this means that that would be the sentence that you receive
15 in the case. And as I'll explain to you as we proceed
16 through the proceedings this morning, if I were to determine
17 that that was not an appropriate sentence, then I would give
18 you the latitude to withdraw your plea of guilty, do you
19 understand that?

20 THE DEFENDANT: Yes.

21 THE COURT: You have to keep your voice up now.

22 THE DEFENDANT: Yes.

23 THE COURT: All right. With that we're ready to
24 proceed, madame clerk.

25 THE CLERK: Ma'am, please I raise your right hand.

1 (Defendant sworn.)

2 THE DEFENDANT: Yes, ma'am.

3 THE CLERK: You may put your hand down. Please,
4 state -- leave your hand down, just state your name.

5 THE CLERK: Lea Shawnay Bell.

6 THE CLERK: Thank you. Ma'am, what is your age?

7 THE DEFENDANT: 29.

8 THE CLERK: And what year were you born?

9 THE DEFENDANT: 1980.

10 THE CLERK: 1980. Ms. Bell, on June 4th, 2009 you
11 were arraigned and pled not guilty to Counts 1 through 4 of
12 the indictment. Do you wish to change your plea at this
13 time?

14 THE DEFENDANT: Yes, I do.

15 THE CLERK: How do you wish to plead?

16 THE DEFENDANT: Not guilty -- I'm sorry, guilty.

17 THE CLERK: Guilty as to all four counts?

18 THE DEFENDANT: Yes.

19 THE CLERK: The plea is guilty to Counts 1 through
20 4. Thank you.

21 THE COURT: Ms. Bell, do you understand that you
22 are now under oath?

23 THE DEFENDANT: Yes.

24 THE COURT: And do you understand that if you were
25 to answer any of my questions falsely, those answers could

1 later be used against you in another prosecution for perjury
2 or for making false statements?

3 THE DEFENDANT: Yes.

4 THE COURT: All right. So it's very important
5 that you answer my questions truthfully. We're not in a
6 hurry here this morning. If you have any questions you stop
7 and talk to Mr. Risberg, the Assistant Federal Public
8 Defender. How far did you get in school, Ms. Bell?

9 THE DEFENDANT: 11th grade.

10 THE COURT: And you are an American citizen?

11 THE DEFENDANT: Yes, I am.

12 THE COURT: And can you read and write the English
13 language?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Have you been treated recently for any
16 mental illness or addiction to any narcotic drugs of any
17 kind?

18 THE DEFENDANT: I do take medication for anxiety
19 and depression.

20 THE COURT: All right. And are you currently
21 under the influence -- have you taken any medication this
22 morning?

23 THE DEFENDANT: No.

24 THE COURT: All right. What medication have you
25 taken?

1 THE DEFENDANT: Celexa, I take Clonodine and
2 Benadryl.

3 THE COURT: All right. Are you currently under
4 the influence of any drugs or medication or alcoholic
5 beverage of any kind?

6 THE DEFENDANT: No.

7 THE COURT: Mr. Risberg, are you satisfied your
8 client is competent to proceed with the guilty plea this
9 morning.

10 MR. RISBERG: I am, Your Honor.

11 THE COURT: Now, Ms. Bell, have you received a
12 copy of the four count indictment in this case, that is the
13 written charges made against you charging you with
14 conspiracy to commit sex trafficking of a minor as well as
15 three counts of sex trafficking of a minor?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: And have you fully discussed these
18 charges with your attorney, Mr. Risberg?

19 THE DEFENDANT: Yes.

20 THE COURT: Have you discussed the whole situation
21 with him including the evidence in the case, witnesses you
22 might want to call if the case proceeded to trial, the
23 possibility of a trial and even an appeal if, and I say if,
24 you were found guilty in this case?

25 THE DEFENDANT: Yes.

1 THE COURT: Are you fully satisfied with Mr.
2 Risberg and his representation and the advice which he's
3 given you?

4 THE DEFENDANT: So far so good.

5 THE COURT: I'm sorry?

6 THE DEFENDANT: Yes.

7 THE COURT: So far so good you said?

8 THE DEFENDANT: Yes.

9 THE COURT: I want to make sure that you're
10 satisfied with his representation and his advice. Explain
11 to me in your own words the reason for your satisfaction
12 with his representation. Is there anything you've asked him
13 to do that he's not done?

14 THE DEFENDANT: No.

15 THE COURT: All right. And has he answered all
16 your questions concerning the nature of the case?

17 THE DEFENDANT: Yes.

18 THE COURT: Has he gone over the evidence with
19 you, and the evidence that the Government would present if
20 the case went to trial?

21 THE DEFENDANT: Yeah.

22 THE COURT: All right. And are you fully
23 satisfied with his services?

24 THE DEFENDANT: Yes.

25 THE COURT: The Court has been advised that

1 there's a plea agreement in this case, which was set forth
2 in a letter of July 20, 2009, from Assistant United States
3 Attorney Solette Magnelli to Assistant Federal Public
4 Defender Jeff Risberg. And I'll ask that the clerk take
5 that down, it's been marked as Government Exhibit 1, the
6 original. I'll ask that you take that down. Ms. Magnelli
7 did I pronounce your name correctly?

8 MS. MAGNELLI: It's Solette.

9 THE COURT: Solette, thank you very much. The
10 original letter has been marked as Government Exhibit 1.
11 And I'll ask that Mr. Risberg if you go over that with Ms.
12 Bell right now. Ms. Bell, did you have an opportunity to
13 read and discuss this plea agreement with Mr. Risberg before
14 you signed it?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: And is that in fact your signature
17 there on -- first of all, on page 7 of the plea agreement,
18 is that your signature there?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: And then also there is an Attachment A
21 with respect to the agreed statement of facts. And there's
22 a page 9 there. And I note there's also your signature.
23 That is your signature there?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Did anyone make any other promises or

1 assurances to you in an effort to induce you to plead guilty
2 in this case, other than what is set forth in this plea
3 agreement letter?

4 THE DEFENDANT: No.

5 THE COURT: And is this the complete agreement
6 between you and the Government in this case?

7 THE DEFENDANT: Yes.

8 THE COURT: And, Mr. Risberg, you're satisfied
9 that this sets forth the complete agreement between your
10 client and the Government.

11 MR. RISBERG: I am.

12 THE COURT: Now, did anyone in any way try to
13 force you or threaten you to plead guilty in this case, Ms.
14 Bell?

15 THE DEFENDANT: No.

16 THE COURT: Are you pleading guilty on your own
17 freely and because you are in fact guilty?

18 THE DEFENDANT: Yes, I am.

19 THE COURT: I'm sorry?

20 THE DEFENDANT: Yes.

21 THE COURT: I don't want any hesitation on this.
22 The -- I want to make sure you understand. You're
23 proffering a plea of guilty to me, there's no hesitation
24 here on this. I have to be satisfied that you're guilty,
25 otherwise we have a trial. Do you understand? 12 people

1 are put in a jury box and you go to trial and they determine
2 your guilt or innocence, do you understand that?

3 THE DEFENDANT: Yes.

4 THE COURT: So I'm really -- I'm very careful, Ms.
5 Bell, if there's any hesitation here I won't accept your
6 guilty plea, do you understand that?

7 THE DEFENDANT: I understand.

8 THE COURT: You're charged with very serious
9 crimes that may result in your going to prison. In fact,
10 you're pleading guilty to an offense to which you will go to
11 prison for ten years, do you understand that?

12 THE DEFENDANT: Yes.

13 THE COURT: So I don't want to have any hesitation
14 then later you second guess or challenge the representation
15 of Mr. Risberg. So if there's any hesitation here, I'm not
16 going to accept your guilty plea, do you understand that?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: All right. So has anyone tried to
19 force you to plead guilty in this case?

20 THE DEFENDANT: No.

21 THE COURT: Are you pleading guilty on your own
22 freely because you are in fact guilty?

23 THE DEFENDANT: Yes.

24 THE COURT: Do you acknowledge you're guilty of
25 all the charges in this indictment?

1 THE DEFENDANT: Yes.

2 THE COURT: Now, as to Count 1, I want to make
3 sure you understand as to Count 1, conspiracy to commit sex
4 trafficking of a minor, and Counts 2, 3 and 4, sex
5 trafficking of a minor, they are felony offenses, do you
6 understand that?

7 THE DEFENDANT: Yes.

8 THE COURT: And do you understand that if I accept
9 your pleas of guilty this morning and you're adjudged guilty
10 of those offenses, you will be deprived of certain valuable
11 civil rights, do you understand that?

12 THE DEFENDANT: Yes.

13 THE COURT: You're not allowed to vote, you're not
14 allowed to have a firearm, you're not allowed to have
15 ammunition, there's certain rights you lose as an American
16 citizen, do you understand that?

17 THE DEFENDANT: Yes.

18 THE COURT: Now in paragraph 3 of the plea
19 agreement, do you understand that the maximum sentence
20 provided by statute for these offenses, first of all, with
21 respect to the conspiracy charge, the maximum sentence
22 provided by statute for Counts 1 through 4 would be a
23 maximum term of life imprisonment and a \$250,000 fine, do
24 you understand that?

25 THE DEFENDANT: Yes.

1 THE COURT: And there is, also you're subject to a
2 mandatory minimum sentence of ten years. It will be
3 concurrent on all counts, but you'll be subject to a
4 mandatory minimum sentence of ten years. Do you understand
5 that?

6 THE DEFENDANT: Yes.

7 THE COURT: And, in fact, this plea agreement is
8 structured such that the lawyers have agreed that ten years
9 is the appropriate sentence. And if I were to feel
10 otherwise, either you or the Government could withdraw your
11 plea of guilty. But you understand that it's a certainty
12 that you're going to be going to prison as a result of this
13 conviction. Do you understand that?

14 THE DEFENDANT: Yes.

15 THE COURT: And do you also understand that with
16 respect to there is a mandatory minimum period of supervised
17 release of five years for Counts 2 through 4, do you
18 understand that?

19 THE DEFENDANT: Yes.

20 THE COURT: Essentially supervised release
21 involves your compliance with certain conditions set by the
22 Court and monitored by the probation office. And I want to
23 make sure you understand that after you serve your period of
24 incarceration in federal prison, if you were to violate
25 conditions of supervised release you could be given

1 additional time in prison without any credit for time
2 already served. Do you understand that?

3 THE DEFENDANT: Yes.

4 THE COURT: Now, I want to make sure that you
5 understand the process ordinarily here in federal court.
6 And it's a process I will be undertaking with respect to
7 determining if a ten-year sentence is appropriate. In
8 January of 2005, the United States Supreme Court held in a
9 case of *United States v. Booker* that the federal sentencing
10 guidelines were constitutional. And the Supreme Court of
11 the United States specifically noted that as a result of its
12 opinion, the federal sentencing guidelines were advisory and
13 were not mandatory upon the Courts. And they established a
14 standard pursuant to which federal judges should impose a
15 sentence, which is subject to review by courts of appeal for
16 unreasonableness.

17 And then about a year and a half ago the Supreme
18 Court of the United States in the case of *Gall v. United*
19 *States* provided further instruction in terms of federal
20 judges determining the guideline range and then looking at
21 other factors under Title 18 of the United States Code,
22 which contains most but not all of the federal criminal
23 statutes. And there's a particular section there, Section
24 3553(a) that deals with other factors that I shall consider.

25 That's normally what's done in sentencing here in

1 federal court. And the reason I mention it to you, Ms.
2 Bell, is that is the same process that I will undertake. A
3 presentence investigation report will be prepared by Ms.
4 Lisa Spinnicchio, the U.S. Probation Officer who's here in
5 court. And I will review that presentence report and that's
6 the analysis I will undertake to determine if a ten-year
7 sentence is appropriate. Do you understand that?

8 THE DEFENDANT: Yes.

9 THE COURT: And specifically, do you understand
10 that the Federal Sentencing Guidelines do apply. And as
11 part of the analysis here, I gather that you and Mr. Risberg
12 have talked about the Federal Sentencing Guidelines; is that
13 correct?

14 THE DEFENDANT: Yes, we have.

15 THE COURT: All right. And you've reached a
16 stipulation in paragraph 7 of the plea agreement, pursuant
17 to which there is anticipated that you would receive an
18 adjusted offense level for each count of 32, and then there
19 would be a three-level increase, as noted in paragraph 7, so
20 you face an offense level of 35. And then ultimately the
21 Government will not oppose a two-level downward adjustment
22 for your acceptance of responsibility. And the Government
23 will move for a third level. So it's anticipated you will
24 have a total offense level of 32. And, again, that's
25 important because that will be part of the analysis I will

1 undertake to determine if the ten-year sentence is
2 appropriate. Do you understand that?

3 THE DEFENDANT: Yes.

4 THE COURT: Now, pursuant to paragraph 8 of the
5 plea agreement there is no agreement as to your criminal
6 history. And the Criminal History Category could also
7 affect the analysis that I undertake. But it's agreed there
8 are no other guideline issues in dispute. And it's
9 understood in paragraph 10 of the plea agreement, Ms. Bell,
10 that at the time of sentencing the Government will recommend
11 a sentence of 120 months. And it's agreed by you that
12 that's an appropriate sentence. Do you understand that?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: And paragraph 12 of the plea agreement
15 specifically sets out, pursuant to Rule 11(c)(1)(C) of the
16 Federal Rules of Criminal Procedure, that 120 months is the
17 appropriate sentence. And as I've said, if I reject that
18 agreement, either side can withdraw a plea of guilty. You
19 certainly can withdraw your plea of guilty under Rule
20 11(c)(5) of the Federal Rules of Criminal Procedure if I
21 determine that I wanted to sentence you to more than ten
22 years. And if for any reason I felt I wanted to sentence
23 you to less than 10 years the Government would be free to
24 withdraw from this plea agreement as well, do you understand
25 that?

1 THE DEFENDANT: Yes.

2 THE COURT: And do you also understand that as a
3 result of a conviction in this case that you will be
4 required to register as a sex offender wherever you reside
5 and wherever you are employed in compliance with the state
6 of your residence, do you understand that?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: And that if you fail to do so you
9 could be subject to new federal and/or state charges, do you
10 understand that?

11 THE DEFENDANT: Yes.

12 THE COURT: Do you understand that?

13 THE DEFENDANT: Yes.

14 THE COURT: And do you also understand that,
15 again, I'm not going to be able to determine what any kind
16 of advisory guideline range ultimately is until I see the
17 presentence report.

18 Now, Ms. Bell, do you understand that parole has
19 been abolished in the federal system?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: There is no parole in the federal
22 system. In the state system a ten-year might translate out
23 to two or three years in prison followed by a period of
24 parole. That's not the case in the federal system. A
25 ten-year sentence is a ten-year sentence. You can get up to

1 50 days a year of good time credit from the Bureau of
2 Prisons. But it's really up to the Bureau of Prisons to
3 determine how much time will be deducted from your sentence.
4 And sometimes it could mean, in the case of the ten-year
5 sentence, maybe one year is deducted because of good time
6 credit. But there is no parole in the federal system. Do
7 you understand that?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: And with respect to any rights of
10 appeal, again, you have waived any right to appeal a
11 ten-year sentence, as has the Government, if I sentence you
12 consistent with the agreed disposition in this case, do you
13 understand that?

14 THE DEFENDANT: Yes.

15 THE COURT: Now, nothing would prevent you from
16 challenging an illegal sentence if I were to impose a
17 sentence outside of any statutory framework.

18 There's also reference here in the plea agreement,
19 Ms. Bell, to what's known as the Freedom of Information Act,
20 which is a law that was passed by the United States Congress
21 which permits citizens to seek information from federal
22 agencies with respect to certain matters. You have had
23 access to discovery in this case with your lawyer, Mr.
24 Risberg, but with respect to any further inquiry of the
25 Government investigation, you waive any right to file any

1 request under the Freedom of Information Act as well. Do
2 you understand that?

3 THE DEFENDANT: Yes.

4 THE COURT: Now, I want to make sure you
5 understand --

6 MR. RISBERG: Can I just have one moment, Your
7 Honor.

8 THE COURT: Yes, go ahead, Mr. Risberg.

9 MR. RISBERG: Okay. Thank you.

10 THE COURT: I'm pretty sure that's in the
11 agreement, Mr. Risberg, I thought I saw it.

12 MR. RISBERG: It is, Your Honor, thank you. And
13 I'm -- we did review each paragraph, but I just could not
14 recall it.

15 THE COURT: That's all right. That's why --

16 MR. RISBERG: Paragraph 13.

17 THE COURT: That's why I go through this very
18 carefully and slowly. So that's fine.

19 Now, as to the waiver of a jury trial, Ms. Bell, I
20 want to make sure you understand that this case is presently
21 set to go to trial, I believe on October 5th; is that
22 correct, Ms. Magnelli?

23 MS. MAGNELLI: Yes, Your Honor.

24 THE COURT: And I want to make sure you understand
25 your waiver of a jury trial here, Ms. Bell, and you're

1 waiving your right to a jury trial. Do you understand that
2 you have a right to plead not guilty to all four charges
3 here in the indictment and continue in that plea of not
4 guilty? Do you understand that?

5 THE DEFENDANT: Yes.

6 THE COURT: And do you understand that you have
7 the right to a trial by jury for which 12 people would be
8 selected as jurors? Do you understand that?

9 THE DEFENDANT: Yes, I do.

10 THE COURT: A group of people would come in.
11 You'd be able to -- Mr. Risberg would be able to ask
12 questions of them. And then ultimately a jury would be
13 chosen and we would have 12 jurors here in the jury box and
14 you'd have the right to a jury trial. Do you understand
15 that?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: And do you understand that you'd have
18 the right to participate with Mr. Risberg in the selection
19 of a jury in this case?

20 THE DEFENDANT: Yes.

21 THE COURT: And do you understand that at trial
22 you would be presumed to be innocent?

23 THE DEFENDANT: Yes.

24 THE COURT: And do you understand that the
25 Government would have to prove your guilt beyond a

1 reasonable doubt?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Do you understand that there would
4 have to be a unanimous verdict of all 12 jurors before you
5 could be convicted of any count, any one of the four counts
6 in this case, do you understand that?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: And do you also understand that you
9 have the right to the assistance of Mr. Risberg for your
10 defense, and the right to see and hear all witnesses and to
11 make suggestions to him with respect to the
12 cross-examination of all witnesses? Do you understand that?

13 THE DEFENDANT: Yes.

14 THE COURT: And do you also understand that on
15 your own part you would have the right to decline to testify
16 unless you voluntarily elected to testify in your own
17 defense?

18 THE DEFENDANT: Yes.

19 THE COURT: And if you did testify you could be
20 subject to impeachment on cross-examination, and could be
21 questioned by Ms. Magnelli and could be questioned about any
22 prior criminal record that you might have, do you understand
23 that?

24 THE DEFENDANT: Yes.

25 THE COURT: Do you also understand that should you

1 decide to go to trial and not testify or put on any
2 evidence, that those facts could not be used against you?

3 THE DEFENDANT: Yes.

4 THE COURT: Specifically, it means that I would
5 instruct the jury that you did not testify in the case, and
6 that they should not consider it in any way. I would advise
7 the jury that the burden's always on the Government and
8 never shifts to the defendant. And that they should not
9 consider in any way that you did not testify. I would also
10 testify tell the jury that they should not judge the case
11 just on the number of witnesses, because once again, there
12 is never any burden on a criminal defendant, the burden is
13 always upon the prosecution. Do you understand that?

14 THE DEFENDANT: Yes.

15 THE COURT: And do you understand that you have
16 the right to the issuance of subpoenas for the compulsory
17 process of witnesses. Meaning, that it's not just the
18 Government which can require witnesses to come in here to
19 the courtroom, you have the right to compel people to come
20 into the courtroom because you're indigent, represented by
21 the Public Defender's Office, at no cost to you Mr. Risberg
22 could file subpoenas with the clerk of the Court. At a cost
23 to the U.S. Government those subpoenas would be served and
24 witnesses would be required to come in here to testify on
25 your behalf. Do you understand that?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: And if there was a trial in the case
3 and if you were found guilty you could appeal both the
4 verdict of guilty and any sentence that I impose. There
5 would be no limit to your right of appeal. Do you
6 understand that?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Do you further understand that by
9 entering this plea of guilty, if that plea is accepted by
10 the Court this morning you will have waived and given up
11 your right to a jury trial, as well as all those other
12 rights that I've just described?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Now, the charge to which you're
15 pleading guilty, I want to make sure you understand the
16 elements of the offenses, and we're going to have a proffer
17 of the facts the Government would be prepared to prove at
18 trial if the case had proceeded to trial, but as to Count 1,
19 conspiracy to commit sex trafficking of a minor in violation
20 of 18 United States Code, Section 1594(c), the elements of
21 that offense are that a conspiracy existed between two or
22 more persons to commit sex trafficking as charged in the
23 indictment; and secondly, that the defendant, that you
24 knowingly and intentionally became a member of that
25 conspiracy.

1 That as to Counts 2, 3 and 4 charging you with sex
2 trafficking of a minor in violation of 18 United States
3 Code, Section 1591(a), the counts for those -- the elements
4 of those counts are as follows: That first you knowingly;
5 secondly, in and affecting interstate and foreign commerce;
6 thirdly, recruited, enticed, harbored, transported, provided
7 and obtained by any means a minor; fourthly, and that you
8 benefited financially or received anything of value from
9 participation in a venture engaged in such acts; and
10 finally, that you knew that the minor had not yet attained
11 the age of 18 years and would be caused to engage in a
12 commercial sex act.

13 Do you understand the elements of the crimes to
14 which you're entering pleas of guilty, Ms. Bell?

15 THE DEFENDANT: Yes, I do.

16 THE COURT: All right. You may be seated for a
17 moment. I'll call upon Assistant U.S. Attorney Solette
18 Magnelli to summarize and make a representation concerning
19 the facts the government would be prepared to prove at trial
20 so as to establish an independent factual basis for this
21 plea. And I would note that there is Attachment A to the
22 plea agreement, which was acknowledged and signed by the
23 defendant. And those facts as set forth in the plea
24 agreement also establish a factual predicate for this plea.

25 Ms. Magnelli.

1 MS. MAGNELLI: Yes, Your Honor. And, of course,
2 the following facts don't encompass all the evidence the
3 government would put on trial. However, I will summarize
4 page one, talk more specifically about page two of
5 Attachment A. Your Honor, defendant Lea Bell, who is also
6 known by the moniker of Ebony is a resident of Maryland.
7 From at least October 2008 through at least May of 2009 Ms.
8 Bell worked as a quote "bottom" for pimping co-defendant
9 Byron Thompson. Together they ran a prostitution business.
10 In her role as the bottom, Ms. Bell helped control and
11 direct this business. She collected money from customers,
12 trained the sex workers, and wielded control and influence
13 over these women when co-defendant Thompson was absent. She
14 was for all intents and purposes, Your Honor, Thompson's
15 second in command.

16 Bell and Thompson had to do numerous things to
17 further this business. They set prices for different sex
18 acts, they set rules on how to interact with customers and
19 with police should the police be encountered. They scouted
20 and chose hotels, paying for more than a hundred hotel rooms
21 in less than four months during this year alone. They
22 rented hotel rooms in Maryland and elsewhere, such as New
23 York and D.C. All for the purpose of prostitution. They
24 also provided items such as condoms, marijuana, food and
25 clothing to sex workers. They used their own vehicles, as

1 well as rental vehicles, hacks and cabs. They used public
2 highways, computers, cameras and video equipment to further
3 their business. They paid for advertisements in erotic
4 services sections on the internet. They offered more than a
5 hundred ads of prostitution on numerous websites including
6 Craig's list and Back Page.

7 Finally, Your Honor, the defendant and
8 co-defendant, Byron Thompson, used the internet as well as
9 more than a dozen different cell phone numbers to
10 communicate with each other, the sex customers and with the
11 sex workers. Your Honor, with the money they earned --

12 THE COURT: Some of those communications were with
13 Ms. Bell as well; is that correct?

14 MS. MAGNELLI: Yes, Your Honor, they used those
15 phones to communicate with each other as well as sex
16 customers and sex workers.

17 With the money that they earned, these individuals
18 paid for additional hotel rooms, they paid for the rent on
19 the apartment that they shared, utilities and other
20 necessities and luxuries such as jewelry and nice clothing.
21 Ms. Bell and Mr. Thompson recruited sex workers for their
22 business through friends, clubs, bars and on the internet
23 through social networking websites such as Myspace.

24 Your Honor, turning specifically to the minors in
25 this case. From January and continuing into a February of

1 2009, the defendant and Thompson prostituted and exerted
2 influence over Jane Doe 3. They advertised and provided her
3 for sexual services dozens of times during this time period.
4 And they charged a fee for those services which the
5 defendant and co-defendant kept. They also provided Jane
6 Doe 3 with marijuana, provocative clothing, shelter, food
7 and condoms. They both personally, being Ms. Bell and
8 co-defendant Thompson, they both personally transported and
9 paid for others to transport Jane Doe 3 to hotels and
10 private residences, and required Jane Doe 3 to walk the
11 truck stops and Baltimore City streets known best for
12 prostitution. Jane Doe 3 was 17 and still in high school at
13 the time, facts that were known to Ms. Bell.

14 In March of 2009, Bell and Thompson met Jane Doe 1
15 and Jane Doe 2. They were only 15 at the time, a fact also
16 known to the defendant. On March the 5th, 2009, Bell and
17 Thompson obtained Jane Doe 1, Jane Doe 2, and Jane Doe 3 for
18 the purpose of advertising them on the internet for erotic
19 services and did in fact provide them for commercial sex
20 acts. Bell and Thompson again provided transportation,
21 clothing, condoms, marijuana, shelter, hotel rooms, food,
22 and a cellular phone number ending in the digits 8179 to the
23 three minors to further their business. The defendants
24 instructed the minors on the methods and pricing of
25 prostitution, and directed at least two sex customers to

1 each minor at a Maryland hotel where the minors engaged in
2 sex acts in exchange for monies that were ultimately paid to
3 Bell and co-defendant Thompson. Bell and Thompson kept all
4 of these monies.

5 In the early morning hours March 6th, 2009, Ms.
6 Bell and co-defendant Thompson drove the minors to a
7 Maryland truck stop and directed them to walk the area for
8 additional sex customers. The minors were almost
9 immediately retrieved by law enforcement from this location,
10 but Bell and Thompson continued to attempt to contact Jane
11 Doe 3 through April of 2009.

12 On or about April the 20th, 2009, Bell and
13 Thompson created a Craig's list posting advertising sexual
14 services using the same cellular number ending in digits
15 8179. The ads also depicted a photograph of Jane Doe 3
16 wearing a cherry pattern bra. Consequently an undercover
17 officer sent a text message to the 8179 phone number
18 requesting the female in the photograph, Jane Doe 3. In
19 response to defendant and co-defendant Thompson responded
20 that that particular individual would be available later in
21 the day.

22 On or about May the 17th, 2009, the defendant and
23 co-defendant created a Back Page posting advertising a
24 quote, "two girl special," and using the same cellular phone
25 number ending in digits 8179. The ad also depicted a

1 photograph of Jane Doe 3 wearing a cherry pattern bra as
2 well as a topless photograph of Jane Doe 3. A photograph of
3 Jane Doe 1 was also posted. Consequently, the defendants
4 were located and immediately arrested.

5 THE COURT: Thank you very much, Ms. Magnelli. If
6 you'll please stand, Ms. Bell. Are there any additions or
7 modifications, Mr. Risberg?

8 MR. RISBERG: No, Your Honor.

9 THE COURT: And I note, Ms. Magnelli, that the
10 U.S. Attorney, Mr. Rod Rosenstein is here in court as well
11 as Sherry Heist, the victim witness coordinator, is that
12 correct, here in court?

13 MS. MAGNELLI: Yes.

14 THE COURT: And notice has been provided to the
15 victims of these crimes under the Victim's Crime Act of
16 2004.

17 MS. MAGNELLI: Yes, Your Honor, they are here.

18 THE COURT: All right. And there are some victims
19 of the crime here in court.

20 MS. MAGNELLI: That's correct, Your Honor.

21 THE COURT: Thank you very much. Ms. Bell, was
22 that an accurate summary of the facts in this case?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Did you in fact commit the crimes as
25 summarized by the Government?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: Do you still wish to plead guilty?

3 THE DEFENDANT: Yes.

4 THE COURT: Specifically, Ms. Bell, how do you
5 wish to plead to Counts 1, 2, 3 and 4 of the indictment,
6 guilty or not guilty?

7 THE DEFENDANT: Guilty.

8 THE COURT: Mr. Risberg, is there any reason that
9 you know of why this Court should not accept these guilty
10 pleas?

11 MR. RISBERG: I know of no reason.

12 THE COURT: All right. It is the finding of the
13 Court in the case United States versus Lea Bell, criminal
14 number RDB-09-0271 that the defendant is fully competent and
15 capable of entering informed pleas, that the defendant is
16 aware of the nature of the charges and the relevant
17 consequences of her pleas of guilty to all four counts, and
18 that her pleas of guilty to each one of the four counts of
19 the indictment on the advice of competent counsel, with
20 whose services she is satisfied, are knowing and voluntary
21 pleas supported by independent bases in fact sustaining each
22 of the essential elements of the offense as charged. The
23 pleas are to be accepted and the defendant is now adjudged
24 guilty of the offenses as set forth in the indictment,
25 specifically as to conspiracy to commit sex trafficking of a

1 minor in violation of 18 United States Code, Section
2 1594(c), and three separate counts of sex trafficking of a
3 minor in violation of 18 United States Code, Section
4 1591(a). And findings of guilty will be entered as to each
5 of those four counts.

6 Ms. Bell, a written presentence investigation
7 report will be prepared by Ms. Lisa Spinnicchio, the U.S.
8 Probation Officer assigned to this case. And you will be
9 asked to give information for the preparation of that
10 report. And Mr. Risberg, your attorney, the Assistant
11 Federal Public Defender, will be with you when you meet with
12 Ms. Spinnicchio. The -- I'll permit both you and Mr.
13 Risberg to read the presentence investigation report and to
14 file any objections to it, as will Ms. Magnelli also be
15 automobile to note any objections before I even see it. And
16 then both you and Mr. Risberg will be afforded the
17 opportunity to speak on your behalf at the sentencing
18 hearing. So I will refer you to the U.S. Probation Office
19 for a presentence investigation and report. And as I've
20 said, if for any reason I, after reviewing that report, feel
21 that I have any difficulty with the ten-year sentence then I
22 will so notify counsel. Your date of sentencing will be
23 Friday October 16th at 11:00 o'clock. I'm sorry, I had down
24 10:00, is this 11:00 or 10:00 o'clock. My computer's not
25 hooked up.

1 THE CLERK: It says 11:00, Judge.

2 THE COURT: All right. 11:00 o'clock. It will be
3 Friday, October 16th, 2009, at 11:00 o'clock. Is that
4 agreeable to you, Ms. Magnelli?

5 MS. MAGNELLI: Yes, Your Honor.

6 THE COURT: Is that agreeable with you, Mr.
7 Risberg?

8 MR. RISBERG: Yes, Your Honor.

9 THE COURT: All right. So that will be the date
10 of sentencing. If either side desires to call any
11 witnesses, you should notify the other side as well as the
12 Court by Tuesday October 13th with a statement containing
13 the names of witnesses and a synopsis of their anticipated
14 testimony. The presentence report shall be -- the first
15 draft shall be provided to counsel by September the 8th, any
16 objections shall be noted by September 22nd, and the final
17 presentence report should be to me by October the 5th of
18 this year. And I'll sign the sentencing order to that
19 effect.

20 The defendant has been detained since May the 18th
21 of this year by order of Magistrate Judge Gauvey. And in
22 light of the factors under 3143(a) of Title 18 she shall
23 remain in custody. She is in federal custody, correct, Ms.
24 Magnelli?

25 MS. MAGNELLI: Yes, Your Honor.

THE COURT: All right. Ms. Bell, as I'm sure Mr. Risberg has explained to you, you'll get credit for time served in federal custody since May 18th, 2009, when I ultimately impose sentence in October. You're getting credit right now for time served in federal custody.

Is there anything further from the point of view of the Government, Ms. Magnelli?

MS. MAGNELLI: No, Your Honor.

THE COURT: Anything further from the point of view of the defense, Mr. Risberg?

MR. RISBERG: No.

THE COURT: This Court stands adjourned.

(The proceedings were concluded.)

I, Christine Asif, RPR, CRR, do hereby certify that the foregoing is a correct transcript from the stenographic record of proceedings in the above-entitled matter.

_____/s/_____
Christine T. Asif
Official Court Reporter

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